



Entered on Docket
August 24, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Fourth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Tapia Ranch Loan**

Hearing Date: July 26, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Tapia Ranch Loan" [DE 8525] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the borrower or from the collateral securing the Tapia Ranch Loan; and good cause appearing:

1 **IT IS ORDERED** that:

2 1. The Objection [DE 8525] is sustained; and

3 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
4 claims are based upon an investment in the Tapia Ranch Loan.

5
6 PREPARED AND RESPECTFULLY SUBMITTED BY:

7 **LEWIS AND ROCA LLP**
8

9 By /s/ John Hinderaker (AZ #018024)

10 Robert M. Charles, Jr.

11 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**USACM Trust
Tapia Ranch
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Tapia Ranch (Castiac Partners, LLC) Loan
10725-00231	9/25/2006	Donald P Clark Family Trust Dtd 10/25/94	C/O Donald P Clark Trustee 305 W Moana Ln Reno, NV 89509-4924	709,011.56	85,000.00
10725-02067	1/11/2007	Falkenborg Family LLC	727 3Rd Ave Chula Vista, CA 91910-5803	206,262.89	104,539.03
10725-02203	1/10/2007	Falkenborg Family LLC	727 3Rd Ave Chula Vista, CA 91910-5803	206,262.89	104,539.03
10725-02181	1/12/2007	Fertitta Enterprises Inc	Janet L Chubb, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	12,214,670.00	5,560,795.00
10725-01541	12/7/2006	Graham Family Trust Dtd 10/26/78	Robin B & Celia Allen Graham Ttees 1460 Twinridge Rd Santa Barbara, CA 93111-1223	503,808.00	50,000.00
10725-02003	1/10/2007	Harrison Family Trust Dtd 7/27/99	Thomas B & Marguerite F Harrison Ttees 930 Dorcey Dr Incline Village, NV 89451	730,819.70	80,000.00
10725-02049	1/11/2007	Hart, Kay J	455 Magnolia Ave Fairhope, AL 36532	606,211.16	50,000.00
10725-00063	7/17/2006	Hedlund, Michael & Carol	Albright Stoddard Warnick & Albright 801 S Rancho Dr #D-4 Las Vegas, NV 89106	262,241.81	100,000.00
10725-01161	11/9/2006	Hoffman Family Investments LP	1405 Orchard Meadow Dr Apt. B Burlington, IA 52601-9050	64,118.31	50,000.00
10725-02059	1/11/2007	Jack R Clark & Linda C Reid Jt Ten	9900 Wilbur May Pkwy #4701 Reno, NV 89521-3089	1,782,032.06	50,000.00

EXHIBIT A

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